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9 Email: carl@ettermcmahon.com
10 Email: awagley@ettermcmahon.com

11 *Attorneys for Defendant Ronald Craig Ilg*

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF WASHINGTON

14 UNITED STATES OF AMERICA,

15
16 Plaintiff,

17 vs.
18

19 RONALD CRAIG ILG,

20 Defendant.
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Case No. 2:21-cr-00049-WFN

**DECLARATION OF ANDREW
M. WAGLEY IN SUPPORT OF
DEFENDANT'S MOTION TO
AMEND ORDER GRANTING
UNITED STATES' MOTION
FOR PRETRIAL CONDITIONS
(ECF No. 51)**

24
25 I, Andrew M. Wagley, do hereby declare that the foregoing is true and
26 correct to the best of my knowledge:
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- 28 1. I am over the age of 18 and competent to testify regarding the
29 matters stated herein.
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- 1 2. I am an attorney of record for the Defendant, Ronald Craig Ilg, MD
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3 ("Dr. Ilg") in this federal criminal matter. I make this Declaration in
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5 support of the accompanying Motion to Amend Order Granting
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7 United States' Motion for Pretrial Conditions (ECF No. 51).
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9 3. The alleged victim pursuant to the Indictment is J.I., Dr. Ilg's former
10 wife. Prior to Dr. Ilg's arrest, Dr. Ilg and J.I. were parties to a
11 parallel family law proceeding in Spokane County Superior Court.
12
13 4. In the family law matter, Dr. Ilg is represented by Mark Cassell of
14
15 Twyford Law Office. I have spoken and corresponded with Mr.
16
17 Cassell multiple times regarding the matters stated herein.
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19 5. Although a Final Divorce Order has been entered in the family law
20 proceeding, a trial regarding custody and child support pertaining to
21 the parties' infant son is scheduled for January of 2022. No
22 depositions have been taken in the family law matter to date.
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25 6. On August 5, 2021, the Court granted the United States' Motion for
26 Pretrial Conditions. The Court's Order imposed the following
27 pretrial condition:
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30 Defendant shall avoid all contact whatsoever, direct or
31 indirect, with any person Defendant knows or
32 reasonably should know are or may become a victim or

1 potential witness in the subject investigation or
2 prosecution. Defendant shall have no contact with
3 [M.P.]. Prohibited forms of contact include but are not
4 limited to telephone, mail, email, text, video, social
5 media, and/or any contact through any third person or
6 parties.

7 (ECF No. 53 at 1.)
8

- 9 7. As such, the Court's Order Granting United States' Motion for
10 Pretrial Conditions explicitly prohibits contact between Dr. Ilg and
11 alleged victim J.I. (Dr. Ilg's former wife) and alleged witness M.P.
12 (Dr. Ilg's former girlfriend).
13
- 14 8. In the parallel family law proceeding, Petitioner's Witness List
15 includes both J.I. and M.P. Attached hereto as **Exhibit A** is a true
16 and correct copy of Petitioner's Witness List filed in Spokane
17 County Superior Court. The full names of J.I. and M.P.—along with
18 other witnesses not pertinent to this Motion— have been redacted.
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- 20 9. Following entry of the Court's Order Granting United States' Motion
21 for Pretrial Conditions, Mr. Cassell (Dr. Ilg's attorney in the family
22 law matter) attempted to schedule the depositions of both J.I. and
23 M.P. Attached hereto as **Exhibit B** are true and correct copies of the
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1 Notice of Intent to Take Oral Deposition of J.I. and Notice of Intent
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3 to Take Oral Deposition of M.P.
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5 10. The depositions of J.I. and M.P. are necessary for Mr. Cassell to
6 properly represent Dr. Ilg in the parallel family law proceeding.
7 Both J.I. and M.P. have been listed on Petitioner's Witness List.
8 Moreover, not only will both individuals have information pertaining
9 to the ability of Dr. Ilg and/or J.I. to pay child support, but also are
10 expected to testify at trial regarding custody.
11

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14 11. On or about September 7, 2021, J.I.'s legal counsel in the family law
15 matter (Bevan Mazey) sent correspondence to Mr. Cassell regarding
16 the depositions. Attached hereto as **Exhibit C** is a true and correct
17 copy of this correspondence from Mr. Maxey to Mr. Cassell.
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21 12. In said correspondence, Mr. Maxey indicates that Assistant United
22 States Attorney Richard Barker "advised me of a federal protection
23 order that bars Mr. Ilg from all contact whatsoever, direct or indirect,
24 with an persons Defendant knows or reasonable should know are or
25 may become a victim or potential witness in the subject investigation
26 or prosecution." Mr. Maxey also enclosed a copy of the Order
27 Granting United States' Motion for Pretrial Conditions to said
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1 correspondence. Mr. Maxey concludes that the proposed depositions
2 may be in violation of the Order, and indicates “I believe that it
3 would be appropriate for you to get federal permission before we
4 schedule the depositions.”
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8 13. From my understanding, J.I.’s purported position in the family law
9 matter is that Dr. Ilg will never have contact or visitations with their
10 infant son. As indicated in the accompanying Motion, Dr. Ilg has a
11 protected Due Process interest in the care, custody, and
12 companionship of his biological infant son.
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16 14. The purpose of the depositions of J.I. and M.P. are to explore and
17 ascertain what their purported testimony will be at the upcoming
18 custody and child support trial. As indicated above, both J.I. and
19 M.P. are disclosed on Respondent’s Witness List. Moreover,
20 conducting said depositions by and through counsel eliminates any
21 concern pertaining to witness intimidation, harassment, and/or
22 attempted coercion.
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28 15. Based upon the foregoing, good cause exists to amend Dr. Ilg’s
29 release conditions to allow indirect contact by and through his legal
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1 counsel for the purpose of conducting depositions in the family law
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3 matter.

4 I hereby declare under penalty of perjury of the laws of the United States
5
6 and the State of Washington that the foregoing is true and correct.
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8 EXECUTED this 11th day of November, 2021 in Spokane, WA.

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10 By: /s/ Andrew M. Wagley
11 Andrew M. Wagley
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EXECUTED this 11th day of November, 2021 in Spokane, WA.

Declaration of Andrew M. Wagley- Page 7

**ETTER, McMAHON, LAMBERSON,
VAN WERT & ORESKOVICH, P.C.**
618 WEST RIVERSIDE AVENUE, SUITE 210
SPOKANE, WASHINGTON 99201 (509) 747-9100

EXHIBIT A

FILED

JUL 23 2021

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

CN: 2030115432

SN: 48

PC: 2

**SUPERIOR COURT OF WASHINGTON
COUNTY OF SPOKANE**

In re:

J [REDACTED] I [REDACTED]

Petitioner,

And

RONALD ILG,

Respondent.

No. 20-3-[REDACTED]

PETITIONER'S WITNESS LIST

Petitioner, ** hereby submits the following list of witnesses he intends to call at the time of trial:

1. J [REDACTED] I [REDACTED] - Petitioner
2. Ronald Ilg - Respondent
3. M [REDACTED] P [REDACTED] - Respondent's Ex-Girlfriend

4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. [REDACTED]
12. [REDACTED]

13. Any person who has submitted a declaration or is documented in records submitted in this case.
14. Any person revealed through Discovery or Litigation to have information related to this case.
15. Any person listed on Respondent's Witness List
16. Lay Witness(es), Reserved

Petitioner's Witness List

ORIGINAL

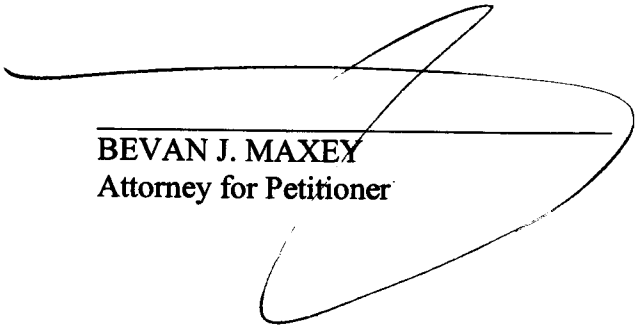
Maxey Law Office, PLLC
1835 W. Broadway
Spokane, WA. 99201
(509) 326-0338 phone
(509) 325-4490 Fax

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17. Mental Health Expert(s), Reserved
 18. The Petitioner reserves the right to call any necessary rebuttal witnesses which would be admissible under the rules governing rebuttal; and,
 19. Any witness the Respondent intends to call in her case in chief. To include any rebuttal witnesses.

5 The Petitioner reserves the right to amend the Witness List for trial and agrees to provide
6 such amended list(s) before the trial date, as appropriate.

7 DATED this 22 day of July, 2021.

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BEVAN J. MAXEY
Attorney for Petitioner

EXHIBIT B

FILED

2021 AUG 20 A 3:49

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

Superior Court of Washington
County of Spokane

In re:

J [REDACTED] I [REDACTED]

Petitioner,

and

Ronald Ilg

Respondent.

No. 20-3-[REDACTED]

Notice of Intent to Take the
Oral Deposition of J [REDACTED] I [REDACTED]

TO: J [REDACTED] I [REDACTED] and your attorney of record, Bevan Maxey

PLEASE TAKE NOTICE that the testimony of J [REDACTED] I [REDACTED] will be taken upon Oral Examination will be taken on **September 7, 2021**, commencing at the hour of **8:00 am.** on said day before a certified court reporter and notary public at Twyford Law Office, 430 W Indiana Ave Spokane, WA 99205 and that if the deposition is not completed on that date, the taking of the same will be continued thereafter from day-to-day and from time-to-time until completed.

The taking of said deposition is in accordance with Civil Rule 26 et. seq. and Civil Rules 30 and 31 of the Superior Court Rules of the State of Washington.

DATED: August 20, 2021.

Mark Cassell

Mark Cassell, WSBA #51252
Attorney for Respondent

Twyford Law Office
430 W. Indiana Avenue
Spokane, WA 99205
Phone: (509) 327-0777

FILED

2021 AUG 20 A 3:49

TIMOTHY W. FITZGERALD
SPOKANE COUNTY CLERK

Superior Court of Washington
County of Spokane

In re:

J [REDACTED] I [REDACTED]

Petitioner,

and

Ronald Ilg

Respondent.

No. 20-3 [REDACTED]

Notice of Intent to Take the
Oral Deposition of M [REDACTED]
P [REDACTED]

TO: M [REDACTED] P [REDACTED]
AND TO: J [REDACTED] I [REDACTED] and your attorney of record, Bevan Maxey

PLEASE TAKE NOTICE that the testimony of M [REDACTED] P [REDACTED] will be taken upon Oral Examination will be taken on **September 9, 2021**, commencing at the hour of **8:00 AM** on said day before a certified court reporter and notary public at Twyford Law Office, 430 W Indiana Ave Spokane, WA 99205 and that if the deposition is not completed on that date, the taking of the same will be continued thereafter from day-to-day and from time-to-time until completed.

The taking of said deposition is in accordance with Civil Rule 26 et. seq. and Civil Rules 30 and 31 of the Superior Court Rules of the State of Washington.

DATED: August 20, 2021.

Mark Cassell

Mark Cassell, WSBA #51252
Attorney for Respondent

Twyford Law Office
430 W. Indiana Avenue
Spokane, WA 99205
Phone: (509) 327-0777

EXHIBIT C

Bevan J. Maxey
William C. Maxey
Mark J. Harris
Lora Lee Stover
Addrian E. Boyd
Morgan C. Maxey
Mason J. Maxey



1835 W. Broadway
Spokane, WA 99201
Phone: (509) 326-0338
Fax: (509) 325-4490

September 7th, 2021

Twyford Law Office

SEP 08 2021

RECEIVED _____

Sent via Messenger
Twyford Law Office
Mark Cassell
430 W Indiana Ave
Spokane, WA 99205

Re: [REDACTED] v. Ilg, Case No. 20-3-[REDACTED]

Mr. Cassell,

I spoke with US Attorney Barker regarding your subpoenas to depose Ms. P [REDACTED] (formerly I [REDACTED]) and other witnesses involved in the above matter. Mr. Barker advised me of a federal protection order that bars Mr. Ilg from all contact whatsoever, direct or indirect, with any persons Defendant knows or reasonably should know are or may become a victim or potential witness in the subject investigation or prosecution. The order specifies, "Defendant shall have no contact with WITNESS 1. Prohibited forms of contact include but are not limited to telephone, mail, email, text, video, social media, and/or any contact through any third parties or persons." Please find the enclosed copy of this order.

Mr. Barker believes that you, as Mr. Ilg's attorney, deposing Ms. P [REDACTED] and Ms. P [REDACTED] may be a violation of this order. As so, I believe that it would be appropriate for you to get federal permission before we schedule the depositions.

Please advise as to how you would like to proceed.

Thank you,
MAXEY LAW OFFICES

Bevan J. Maxey



BJM/sap
ENCL

Aug 05, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

RONALD CRAIG ILG,

Defendant.

No. 2:21-CR-00049-WFN-1

ORDER GRANTING UNITED
STATES' MOTION FOR PRETRIAL
CONDITIONS

MOTION GRANTED
(ECF No. 51)

Before the Court is United States' Motion for Pretrial Conditions, **ECF No. 51**, and Defendant's Response to the Motion, **ECF No. 52**.

Specifically, the United States is requesting the Court impose a pretrial condition of confinement requiring the Defendant to have no contact with any victim or witness in this case. The Defendant does not object and stipulates to the motion, **ECF No. 52**.

Pursuant to this Court's authority under 18 U.S.C. § 3142, **IT IS ORDERED** the United States' motion, **ECF No. 51**, is **GRANTED**. In addition to his pretrial confinement, Defendant shall be subject to the following condition:

Defendant shall avoid all contact whatsoever, direct or indirect, with any persons Defendant knows or reasonably should know are or may become a victim or potential witness in the subject investigation or prosecution. Defendant shall have no contact with WITNESS 1. Prohibited forms of contact include but are not limited to telephone, mail, email, text, video, social media, and/or any contact through any third person or parties.

1 A violation of this order may result in a prosecution for contempt of
2 court and could result in imprisonment, a fine, or both.

3 **IT IS SO ORDERED.**

4 DATED August 5, 2021.

A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE